

JP:DAS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

M-07-566

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UNITED STATES OF AMERICA

- against -

C O M P L A I N T

(T. 21, U.S.C. § 846)

CLIFTON EMILE,
also known as
"All That,"
"Anthony Bryant,"
"Sleepy Emile,"
"Anthony Perkins,"
"Tony Chris Phing,"
"Mark Smith" and
"Anthony Wppard,"

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

CHARLES SCHUETZ, being duly sworn, deposes and says that he is a Special Agent with the Drug Enforcement Administration ("DEA"), duly appointed according to law and acting as such.

Upon information and belief, on or about and between May 2, 2007 and May 7, 2007, within the Eastern District of New York and elsewhere, the defendant CLIFTON EMILE did knowingly and intentionally conspire with others to distribute and possess with the intent to distribute a substance containing heroin, a Schedule I controlled substance, in violation of Title 21 U.S.C. § 841(a)(1).

(Title 21, United States Code, Section 846).

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

1. On or about May 2, 2007, law enforcement authorities in Greene County, Georgia observed a vehicle driven by an individual who is now cooperating with law enforcement authorities ("CS") violating traffic laws. Law enforcement authorities activated their siren and ordered the CS to pull the vehicle over to the side of the road.

2. Law enforcement officers approached the CS's vehicle and the CS consented to a search of the vehicle. During the course of this search, law enforcement officers discovered approximately 600 grams of heroin inside the vehicle.

3. Law enforcement authorities then placed the CS under arrest. Thereafter, the CS stated, in sum and substance, that the CS was delivering the heroin to a person the CS knew as "All That" in Brooklyn, New York.

5. On May 7, 2007 the CS made phone calls to "All That" and arranged to deliver the heroin to "All That" at approximately 6:50 p.m. on May 7, 2007 in the vicinity of New York Downtown Hospital in lower Manhattan. These phone calls were monitored and recorded by the DEA, with the consent of the CS.

^{1/}Because the purpose of this affidavit is merely to establish probable cause, I have not set forth all of the facts and circumstances of which I am aware.

6. At approximately 6:50 p.m. on May 7, 2007, the defendant CLIFTON EMILE enter a black Pontiac at the intersection of Gold Street & Ann Street ("the Meeting Point") in lower Manhattan, near New York Downtown Hospital. DEA Special Agents followed the Pontiac as it departed the Meeting Point, and observed that the tail light of the Pontiac was broken.

7. Special Agents with the DEA activated their siren and ordered the driver of the Pontiac to pull over. DEA Special Agents then ordered the driver of the Pontiac and the defendant CLIFTON EMILE to step out of the vehicle. Shortly thereafter, DEA Special Agents drove past the Pontiac in another vehicle with the CS. The CS identified the defendant CLIFTON EMILE as the person she knew as "All That," and to whom the CS planned to deliver the heroin. Thereafter, the defendant was placed under arrest.

8. Following his arrest, the defendant CLIFTON EMILE was read his Miranda rights, which he knowingly and voluntarily waived. In sum and substance, CLIFTON EMILE stated that he was involved in a conspiracy with the CS to distribute heroin, and that he had arrived at the Meeting Point for the purpose of facilitating that conspiracy.

WHEREFORE, your deponent respectfully requests that the defendant CLIFTON EMILE be dealt with according to law.



CHARLES SCHUETZ
Special Agent
Drug Enforcement Administration

Sworn to before me this
8th day of May, 2007

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EAS'

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